

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2010-001072

01/28/2013

HON. SAM J. MYERS

CLERK OF THE COURT  
K. Philpot  
Deputy

IN RE THE MATTER OF  
TIM MICHAEL GUNNINK

THOMAS A LONGFELLOW

AND

EMILY SUZANNE BOND

EMILY SUZANNE BOND  
4322 E WELDON AVE  
PHOENIX AZ 85018

MINUTE ENTRY

Courtroom CCB 603

3:34 p.m. This is the time set for a Return Hearing on the Post-Decree Petition for Order to Appear Re: Enforcement of Consent Decree of Dissolution of Marriage filed by Petitioner/Husband on January 9, 2013 and the Petition to Enforce Court Order About Division of Property filed by Respondent/Wife on December 20, 2012. Petitioner/Husband Tim Michael Gunnink appears with above-named counsel. Respondent/Wife Emily Suzanne Bond appears on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held with the Court regarding that status of the case.

Based on the discussion held,

**EVIDENTIARY HEARING SET**

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2010-001072

01/28/2013

**IT IS ORDERED** setting a combined evidentiary hearing on the Post-Decree Petition for Order to Appear Re: Enforcement of Consent Decree of Dissolution of Marriage and Petition to Enforce Court Order About Division of Property filed by Respondent/Wife on **May 8, 2013 at 10:00 a.m. (2 hours allotted)** in this division before:

**The Honorable Sam J. Myers  
Maricopa County Superior Court  
Central Court Building  
201 W. Jefferson  
6th Floor, Courtroom 603  
Phoenix, AZ 85003**

Failure of a party to appear may result in the court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

**IT IS FURTHER ORDERED:**

1. **Time Allotted.** Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party presumptively will be allowed half of the available time to present all direct, cross and redirect examination and any argument. For each hour of trial time, this court generally allocates 25 minutes to each party. The parties are expected to complete the trial in the allotted time. If a party believes that more trial time is needed, he or she must file a motion at least 30 days before the trial setting forth good cause to enlarge the trial time. Failure to timely file such a motion will be deemed a waiver of any argument that more trial time is needed.

2. **Pretrial Statements.** The parties shall file and provide this Division with a copy of a **Joint Pretrial Statement** or **Separate Pretrial Statements** pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days before trial.

The Pretrial Statement shall include:

- a. All information required by Rule 76.
- b. A description of each disputed issue the court must decide, and a statement of each party's position on that issue. Absent good cause shown, failure to list an issue in the Pretrial Statement will be deemed a waiver of that issue.
- c. If there are disputed custody or parenting time issues, a specific proposal for custody and parenting time.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2010-001072

01/28/2013

d. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party.

e. A list of witnesses to be called at the hearing. Absent good cause shown, failure to list a witness will result in that witness being excluded.

f. A list of exhibits to be used at the hearing. Absent good cause shown, failure to list an exhibit will result in that exhibit being excluded.

g. A list of objections to the other party's exhibits. Any objection not listed in the Pretrial Statement will be deemed waived.

3. **Trial Exhibits.** Exhibits for use at trial shall be delivered to the Clerk of this Division at least **five (5) business days** before trial for marking. **If exhibits are not delivered to the Clerk five business days in advance, you may be required to use trial time for the marking of exhibits.** In addition, each party shall deliver a copy of his/her exhibits to the opposing parties at least five business days before trial.

This Division requests that counsel and the parties **DO NOT PROVIDE** a copy of exhibits to the judge.

4. **Settlement.** Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the court as required by Rule 70, Arizona Rules of Family Law Procedure. If the parties reach a full settlement before trial, the court will vacate the trial only if (1) it receives a Notice of Settlement pursuant to Rule 70, Arizona Rules of Family Law Procedure, or (2) both parties inform the court of the settlement in an on-the-record telephonic conference. Oral notification to court staff or voicemail messages left with the court are insufficient. If the parties desire to place agreements on the record, they should contact this Division to schedule a telephonic conference.

5. **Continuances.** Motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances.

6. **Disclosure and Discovery.**

a. Both parties shall complete all disclosure required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2010-001072

01/28/2013

b. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure shall be completed 15 days before trial.

7. **Discovery And Other Pre-Trial Disputes.** If the parties have a dispute concerning discovery matters, or any other pre-trial dispute that requires court intervention, they may contact this division to schedule a telephonic conference before filing formal discovery motions. Before such telephonic conference, counsel or the parties shall personally consult with each other to either resolve the dispute or narrow the issues.

8. **Trial Record.** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

3:39 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.